

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

MISC.CIVIL APPLICATION No 743 of 1998

in

SPECIAL CIVIL APPLICATION No 892 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL and

MR.JUSTICE R.P.DHOLAKIA

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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PRAVINKUMAR ISHWARLAL RUPALA

Versus

DAHYABHAI RAMJIBHAI PARMAR  
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Appearance:

MR MUKUL SINHA for Petitioner

MS PREETI S PARMAR for Respondent No. 1, 2  
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CORAM : MR.JUSTICE B.C.PATEL and  
MR.JUSTICE R.P.DHOLAKIA

Date of decision: 06/05/98

ORAL JUDGEMENT (Per: B.C.Patel,J.)

Mr. Parmar, the learned advocate appearing for the respondents, has submitted a statement suggesting that the respondent is inclined to reinstate the petitioner on certain conditions. Mr. Mukul Sinha, has strongly objected to such a move being adopted.

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#. However, after hearing the learned advocates, the following order is passed:

The respondent shall reinstate the petitioner and shall pass a necessary resolution. As per the order passed by a Division Bench, the applicant is not reinstated and hence, for the period for which he is not given appointment, salary shall be paid. He should have been given appointment from 26-2-1998 and therefore, calculating the benefits from that date, the amount shall be paid. The petitioner shall report for duty on Monday, i.e. on 11th May, 1998 and shall be reinstated on that day. However, the benefits will be given from 26-2-1998.

#. With this direction, this application is not required to be entertained any further.

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